

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 66 of 1994

For Approval and Signature:

Hon'ble MR.JUSTICE H.L.GOKHALE

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1. Whether Reporters of Local Papers may be allowed to see the judgment ?
2. To be referred to the Reporter or not ?
3. Whether their Lordships wish to see the fair copy of judgment?
4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 or any order made thereunder?
5. Whether it is to be circulated to the Civil Judge?

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KANTILAL RAMBHAI PATEL

Versus

STATE OF GUJARAT

Appearance:

MR SH SANJANWALA for Petitioners
MR PS CHAMPANERI for Respondent No. 1
M/S PURNANAND & CO for Respondent No. 2
MR RM CHHAYA for Respondent No. 4
MR PRANAV G DESAI for Respondent No. 5

CORAM : MR.JUSTICE H.L.GOKHALE

Date of decision: 10/07/96

ORAL JUDGEMENT

Heard Ms Sanjanwalla, Senior advocate, for the

petitioner, Mr Lathigara for respondents nos.1 to 3 and Mr Champaneri for respondent no.4. After the matter was heard for some time, Mr Sanjanwalla states that in view of the statement of the Town Planning Officer contained in para no.5(G) of the affidavit-in-reply filed on behalf of the Government on 18.7.1991 in Special Civil Application No.2264 of 1989, the petitioner will prefer to approach AUDA with a request to apply to the State Government for the variation in the scheme under section 70 and/or 71 of the Gujarat Town Planning and Urban Development Act, 1976. It will be open for the petitioner to take necessary steps if they deem it so fit. Mr Sanjanawalla therefore seeks to withdraw this petition. Leave granted. Petition stands disposed of as withdrawn. Rule is discharged.

2 This order does not in any way mean that any directions either to the AUDA or to the State Government are given to act in any particular manner. They are as usual expected to act in accordance with law. The ad interim order granted by this Court on 31.8.1994 will continue for a further period of 6 weeks hereof.
